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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/526,315

03/29/2005

Andries Van Wageningen

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

RUTKOWSKI, JEFFREY M

ART UNIT

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2619

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/526,315	Applicant(s) VAN WAGENINGEN ET AL.	
	Examiner Jeffrey M. Rutkowski	Art Unit 2619	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Examiner's Note

2. The examiner has taken note of the references listed on the submitted International Search Report. If the applicant meant to have the references considered as part of an information disclosure, than the applicant should submit the references on an Information Disclosure Statement.

Drawings

3. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated, a known packet switch [**Specification, page 6 line 11**]. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the arbiter in Figure 3 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because the headers for the different sections of the specification are missing. Correction is required. See MPEP § 608.01(b).

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. **Claim 9** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. **Claim 9** provides for the use of a method for configuring the cross-connection matrix of a switch, but, since the claim does not set forth any steps involved in the method/process, it is

unclear what method/process applicant is intending to encompass. A claim is indefinite where it merely recites a use without any active, positive steps delimiting how this use is actually practiced.

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. **Claim 9** is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. **Claim 9** is directed to an intended use which does not fall under any of the statutory categories of a process, machine, manufacture or composition of matter. See for example *Ex parte Dunki*, 153 USPQ 678 (Bd.App. 1967) and *Clinical Products, Ltd. v. Brenner*, 255 F. Supp. 131, 149 USPQ 475 (D.D.C. 1966). Furthermore, the claimed intended use is recited as related to both a process and an apparatus, giving the claim the appearance of covering two statutory categories at the same time.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

9. **Claims 1-3, 5-6, 8** are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over **claim 8** of U.S. Patent No. 7,248,583, hereinafter referred to as the '583 patent in view of Chung et al. (US Pg Pub 2003/0095558), hereinafter referred to as Chung and Alasti et al. (US Pg Pub 2003/0072312), hereinafter referred to as Alasti.

10. **Claims 1-2 and 4** of the present application are essentially the same as **claim 8** of the '583 patent. Except, **claim 8** of the '583 patent does not disclose the use of a port controller that provides status message information to a switching means. Chung teaches the port controller absent from **claim 8** of the '583 patent by disclosing an input buffer manager (port controller) transmits Virtual Output Queue (VOQ) status information to a scheduler via internal packet header [0018] (claim 1: where said port controllers provide status information of their virtual output queues within status words to said switching means). The internal packet header includes VOQ assignment (status information) and other command information [0022] (claim 2: characterised in that said status word comprises communication information, and that said arbiter configures said cross-connection matrix based on said communication information; claim 4: characterised in that said status word comprises type information, and that said arbiter changes said status information within said status information fields based on said type information and the arbitration result). It would have been obvious to a person of ordinary skill in the art at the

time of the invention to use Chung's input buffer manager in **claim 8** of the '583 patent to avoid congestion in a switch. The combination of **claim 8** of the '583 patent and Chung do not disclose the location of the scheduler in a network device. Alasti teaches the scheduler location absent from **claim 8** of the '583 patent and the teachings of Chung by disclosing a scheduler is part of a switching fabric (switching means) [0018 and figures 1 and 2] (claim 1: where said port controllers provide status information of their virtual output queues within status words to said switching means). It would have been obvious to a person of ordinary skill in the art at the time of the invention to use a scheduler in the switching fabric in **claim 8** of the '583 patent to keep collisions in the switch core to a minimum.

11. **Claim 3**, which depends from **claim 1**, of the present application are essentially the same as **claim 8** of the '583 patent. Except, **claim 8** of the '583 patent does not disclose the use of a status word. Chung discloses the use of an internal packet header (status word) that includes VOQ assignment and other information [0018] (characterised in that said status word comprises weight information, and that said arbiter configures said cross-connection matrix based on said weight information). Given that **claim 8** of the '583 patent discloses weight information is used for the interconnection between input and output ports and Chung discloses the use of an internal packet that includes other information. It would have been obvious to a person of ordinary skill in the art at the time of the invention to use an internal packet to transfer weight information in **claim 8** of the '583 patent.

12. **Claims 5-6**, which depend from **claim 1** of the present application, are essentially the same as **claim 8** of the '583 patent. Except, **claim 8** of the '583 patent does not disclose the increase or decrease of weight information. Alasti teaches the increment and decrement of

weight information absent from **claim 8** of the '583 patent by disclosing a scheduler, which includes arbiters [**figure 2**], increases the weight value of a link is by the link's reserved rate when the link is not served and decreases the link weight when the link is served [**0032**]. It would have been obvious to a person of ordinary skill in the art at the time of the invention to increment the link weight when a link was not served and decrement a link weight when the link was served in **claim 8** of the '583 patent to prevent one link from starving other links.

13. **Claim 7** is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over **claim 8** of the '583 patent, as applied to **claim 1** above, in view of Chung and Alasti and further in view of Meempat et al. (US Pg Pub 2003/0227932), hereinafter referred to as Meempat.

14. For **claim 7**, which depends from **claim 1**, the combination of **claim 8** of the '583 patent, Chung and Alasti disclose the use of messages for weighted scheduling. The combination of **claim 8** of the '583 patent, Chung and Alasti do not disclose the resetting of weight information when an arbitration is successful. Meempat teaches the arbitration reset absent from **claim 8** of the '583 patent, Chung and Alasti by disclosing a credit counter is reloaded from a respective weight information register when the credit counter reaches zero (i.e. all information transmitted for a given bandwidth) [**0053-0054**] (characterised in that said arbiter resets weight information of said status information within said status information fields in case of a successful arbitration). It would have been obvious to a person of ordinary skill in the art at the time of the invention reset weight information in **claim 8** of the '583 patent to make sure a packet flow is allocated the proper amount of bandwidth.

15. **Claim 8** is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over **claim 1** of the '583 patent, in view of Chung.

16. **Claim 8** of the present application is essentially the same as **claim 1** of the '583 patent. Except, **claim 1** of the '583 patent does not disclose the use of a port controller. Chung teaches the port controller absent from **claim 1** of the '583 patent by disclosing an input buffer manager (port controller) transmits Virtual Output Queue (VOQ) status information to a scheduler via internal packet header [0018]. The internal packet header includes VOQ assignment (communication information) and other command information [0022] (type information). It would have been obvious to a person of ordinary skill in the art at the time of the invention to use an input buffer manager in **claim 1** of the '583 patent to control congestion in a switch.

17. **Claim 8** is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over **claim 2** of copending Application No. 10/232014 in view of Chung. **Claim 8** of the present application is essentially the same as **claim 2** of the 10/232014 application. Except, **claim 2** of the 10/232014 application does not disclose the use of a virtual output queue. Chung teaches the VOQ absent from **claim 2** of the 10/232014 application by disclosing packets are assigned to a VOQ in a network device [0018]. It would have been obvious to a person of ordinary skill in the art at the time of the invention to use a VOQ in **claim 2** of the 10/232014 application to perform class based queuing.

18. **Claim 8** is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over **claim 2** of copending Application No. 10/179359 in view of Chung. **Claim 8** of the present application is essentially the same as **claim 2** of the 10/179359 application. Except, **claim 2** of the 10/179359 application does not disclose the use of a virtual

output queue. Chung teaches the VOQ absent from **claim 2** of the 10/179359 application by disclosing packets are assigned to a VOQ in a network device [0018]. It would have been obvious to a person of ordinary skill in the art at the time of the invention to use a VOQ in **claim 2** of the 10/179359 application to perform class based queuing.

This is a provisional obviousness-type double patenting rejection.

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

20. **Claims 1-4 and 8** are rejected under 35 U.S.C. 103(a) as being obvious over Van Wageningen et al. (US Pat 7,248,583), hereinafter referred to as Van Wageningen, in view of Chung.

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

21. For **claim 1**, Van Wageningen teaches algorithms for switching packets **[title]**. Port controllers **6, 7** send information necessary for determining the configuration of a coupling matrix **[col. 4 lines 5-10]** (means based on status information provided by port controllers of input/output means). A state matrix **11** is used to keep track of all the weights of input and output ports **[col. 4 lines 24-28]** (said switching means store said status information within status information fields of a status matrix). An arbiter unit **9** uses the weight information stored in the state matrix **11** to accept (configure) connections between an input port and an output port **[col. 4 lines 29-60 and figures 1,2]** (an arbiter within said switching means configures said cross-connection matrix based on said status information stored within said status information

fields). Van Wageningen does not teach the port controllers 6,7 use of Virtual Output Queues. Chung teaches the VOQ limitation absent from Van Wageningen by disclosing an input buffer manager (port controller) transmits Virtual Output Queue (VOQ) status information to a scheduler via internal packet header [0018] (where said port controllers provide status information of their virtual output queues within status words to said switching means). The internal packet header includes VOQ assignment (communication information) and other command information [0022] (type information). It would have been obvious to a person of ordinary skill in the art at the time of the invention to use an input buffer manager in Van Wageningen's invention to allow for class based queuing.

22. For **claim 2**, which depends from **claim 1**, Van Wageningen teaches the information sent from the port controllers 6,7 is information necessary for the arbiter unit 9 to configure the coupling matrix 8 [col. 4 lines 5-8] (characterised in that said status word comprises communication information, and that said arbiter configures said cross-connection matrix based on said communication information).

23. For **claim 3**, which depends from **claim 1**, Van Wageningen teaches the information sent from the port controllers 6,7 to the arbiter unit 9 contains weight information [col. 4 lines 5-8] (characterised in that said status word comprises weight information, and that said arbiter configures said cross-connection matrix based on said weight information).

24. For **claim 4**, which depends from **claim 1**, Van Wageningen teaches the weighting information, provided by the port controllers 6,7, includes indicators on the priority and class of the packets (type) [col. 4 lines 2-5] (characterised in that said status word comprises type

information, and that said arbiter changes said status information within said status information fields based on said type information and the arbitration result).

25. For **claim 8**, Van Wageningen teaches a packet switch **[figure 1]** comprising a port controller **6,7** (at least one input/output means with at least one port controller) and a switching unit **3-5** that consists of a arbiter unit **9** and a coupling matrix **8 [col. 3 lines 45-60]** (at least one switching means with at least one arbiter, and at least one cross-connection means). The coupling matrix **8** is used to transfer information between the inputs and outputs of the switch **[col. 4 lines 12-15]** (where said cross-connection means switch incoming cells from one input/output means to one other input/output means). A state matrix **11** is used to keep track of weight information corresponding to an input and output port pair **[col. 4 lines 24-28]** (said arbiter comprises a status matrix with status information fields for each input/output combination between said input/output means). Port controllers **6,7** send information necessary for determining the configuration of a coupling matrix to the arbiter unit **9 [col. 4 lines 5-10]** (said status information fields carry status information of said virtual output queues provided by the port controllers determining the status of said virtual output queues, said configuration means configure said cross-connection matrix based on said status information within said status information fields). Van Wageningen does not teach the port controllers **6,7** contain Virtual Output Queues. Chung teaches the port controller contains VOQ limitation absent from Van Wageningen by disclosing an input buffer manager (port controller) transmits Virtual Output Queue (VOQ) status information to a scheduler via internal packet header **[0018]** (said port controller comprising at least one virtual output queue, queuing cells for communication with other port controllers via said switching means). It would have been obvious to a person of

ordinary skill in the art at the time of the invention to use a VOQ in Van Wageningen's invention to allow for class based queuing.

26. **Claims 5-6** are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Wageningen in view of Chung as applied to **claim 1** above, and further in view of Alasti.

27. For **claims 5 and 6**, which depend from **claim 1**, the combination of Van Wageningen and Alasti do not teach the increment and decrement of weight information. Alasti teaches the increment and decrement of weight information absent from the teachings of Van Wageningen and Chung by disclosing a scheduler, which includes arbiters **[figure 2]**, increases the weight value of a link is by the link's reserved rate when the link is not served and the weight of the link is decreased when the link is served **[0032]**. It would have been obvious to a person of ordinary skill in the art at the time of the invention to increment the link weight when a link was not served and decrement a link weight when the link was served in Van Wageningen's to prevent one link from starving other links.

28. **Claims 7** is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Wageningen in view of Chung as applied to **claim 1** above, and further in view of Meempat.

29. For **claim 7**, which depends from **claim 1**, the combination of Van Wageningen and Chung do not teach the resetting of weight information. Meempat teaches the weight reset absent from the teachings of Van Wageningen and Chung by disclosing a credit counter is reloaded from a respective weight information register when the credit counter reaches zero **[0053-0054]** (characterised in that said arbiter resets weight information of said status information within said status information fields in case of a successful arbitration). It would have been obvious to a person of ordinary skill in the art at the time of the invention to reset

weight information in Van Wageningen's invention to make sure the correct weight is being applied to the current packet flow.

Conclusion

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jones (US Pat. 7,068,672) discloses a switch that uses a crosspoint and an arbiter that are used for flow control through a packet switch by monitoring the number of packets in an output queue.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey M. Rutkowski whose telephone number is (571) 270-1215. The examiner can normally be reached on Monday - Friday 7:30-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

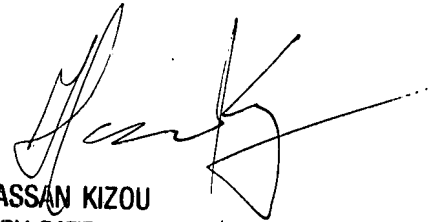
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Jeffrey M Rutkowski
Patent Examiner
11/16/2007

JMR

A handwritten signature in black ink, appearing to read 'Hassan Kizou', with a long horizontal stroke extending to the right.

HASSAN KIZOU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600